

# Administrative Policy

## Respectful Workplace



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**Number:** A1127

**Approval Date(s):**

02/06/2020

01/14/2019

09/04/2008

**Program:** Employee Experience and Safety

*The City of Edmonton's staff are safe and supported to achieve their aspirations and deliver excellent services.*

**Next Scheduled Review:**

02/6/2023

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### **Policy Statement**

The purpose of this policy is to outline elements for a respectful workplace, clarify responsibilities, and inform employees of their right to work in a respectful work environment, free of harassment and discrimination.

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### **Purpose**

The City of Edmonton recognizes that our community and workforce includes people from different backgrounds and identities, and with different needs and perspectives. We are committed to working in collaboration with our employees, Unions, and Associations, to create and maintain a work environment that is fully inclusive and respectful. We strive to meet and exceed compliance with human rights and occupational health and safety legislation. It is the shared responsibility of all parties to contribute to and create a respectful environment.

A respectful workplace is one that is free of harassment and discrimination, and where all employees are treated fairly, diversity is acknowledged and valued, communication is open and civil, expectations around behaviour are clearly communicated, resources and training to resolve disputes are provided, conflict is addressed early, and there is a culture of inclusion, empowerment and cooperation.

### **Guiding Principles**

In carrying out their duties under the procedures accompanying this policy, or when acting in situations not explicitly addressed by an existing procedure, employees will be guided by the following principles:

- The Cultural Commitments of being Safe, Helpful, Accountable, Integrated, and Excellent
- Procedural fairness and the principles of natural justice, including the right to be heard and the right to a bias free process.

# Administrative Policy

## Respectful Workplace



The City's Respectful Workplace Administrative Policy and any associated harassment prevention procedures are not intended to discourage an employee from exercising rights pursuant to any other law, including the *Alberta Human Rights Act*.

### **Application**

This Policy applies to any person who reports to the City Manager or City Auditor and provides services to the City of Edmonton under a contract of employment, contract for the provision of personal services, or in the capacity of agent, student, or volunteer. For the purposes of this document, these groups of people shall be referred to as 'employees'.

This policy applies to harassment and discrimination at all facilities, workplaces; online/social media forums, places visited by employees travelling on City-related business including conferences, meetings, events, vendor/supplier/customer sites and sites of work-related social gatherings.

Violations of this policy, including vexatious complaints, will not be tolerated. Failure to comply with the provisions of this policy including its accompanying procedures may lead to appropriate corrective action, which may include discipline up to and including termination of employment.

### **Accountability**

#### **The City of Edmonton**

The City of Edmonton is committed to providing respectful workplaces free of discrimination and harassment, and meeting its obligations under the *Alberta Occupational Health & Safety Act* and the *Alberta Human Rights Act*. This commitment includes eliminating or, if that is not reasonably practicable, controlling the hazard of harassment, including harassment from the public. The City of Edmonton will investigate any incidents of harassment and/or discrimination and take corrective action to address the incidents.

#### **City Manager**

The City Manager or designate may conduct reviews, audits, or checks at any time without notice to ensure compliance with this policy, including its accompanying procedures.

#### **All City Employees**

Every employee of the City has the right to be treated in a fair, reasonable, and respectful manner, and to work in an environment free of harassment and discrimination.

Every employee also has a shared responsibility to create and maintain a respectful workplace free of harassment and discrimination. This includes, but is not limited to:

## Respectful Workplace

- Ensuring your actions and words contribute to a respectful workplace, when working with employees and the public, and are consistent with the intent of this policy and the accompanying procedures.
- Not participating in, encouraging, and/or supporting any bullying, harassing, discriminatory or disrespectful behaviour.
- Accepting responsibility for your own actions, reactions, behaviours, and the impact those may have on others.
- Reporting your concerns to your supervisor and/or any other person or group identified in the related procedures.
- Adhering to expectations of confidentiality as outlined in any procedures relating to this policy.
- Contributing to an environment in which employees can report concerns about discrimination and harassment without fear of retaliation.
- Ensuring you do not participate in retaliatory behaviour against someone who has made a complaint or participated in an investigation.
- Participating in good faith in any procedures and training associated with this policy.

### **Employees in Managerial or Supervisory Roles**

These employees have additional responsibilities to create and maintain respectful workplaces that are free of discrimination or harassment. These include, but are not limited to:

- Being a role model by ensuring your actions and words contribute to a respectful workplace and are consistent with the intent of this policy and the accompanying procedures.
- Being aware of what is happening in your area of responsibility, and taking appropriate action in a prompt, impartial, and confidential manner when respectful workplace issues come to your attention.
- Participating in resolution activities related to this policy.
- Taking reasonable steps to prevent, limit, and address an employee's exposure to harassment from external sources (e.g. citizens).
- Making every effort to ensure employee awareness of and compliance with this policy.
- Ensuring that this policy is distributed or posted in a manner and location that is easily accessible by employees.
- Supporting the implementation of training and awareness activities related to this policy.
- Supporting the resolution of respect in the workplace matters, which may include seeking advice or referring the employee to supports as appropriate.
- Taking reasonable steps to address requests made under the duty to accommodate.
- Making every effort to ensure that no retaliation occurs as a result of bringing forward a respectful workplace matter or for providing information.
- Understanding that inappropriate behaviour may impact more than those directly involved, including witnesses, and providing support to all parties.

# Administrative Policy

## Respectful Workplace



### Definitions

Unless otherwise specified, words used in this policy and its accompanying procedures have the same meaning as defined in the [City Administration Bylaw, Bylaw 16620](#).

In addition:

- **“discrimination”** is an action, practice, system, or policy that has an adverse impact on an individual or group’s employment or terms and conditions of employment for reasons related to a protected ground.

Under the *Alberta Human Rights Act* the protected grounds are:

- race
- religious belief
- colour
- age
- sexual orientation
- gender
- gender identity or expression
- source of income
- marital status
- family status
- disability (physical or mental)
- place of origin
- ancestry

Harassment based on these characteristics is considered discrimination, including sexual harassment.

- **“duty to accommodate”** is the shared responsibility of the City, Unions, and employees to reduce and/or eliminate barriers that employees experience in fulfilling the requirements of their positions. These barriers must be related to the personal characteristics outlined in the protected grounds. Roles, expectations, and parameters for duty to accommodate are outlined in human rights legislation. Failure to reasonably accommodate an employee may constitute discrimination;
- **“good faith”** describes the nature of complaints that are made honestly and with positive intention. Submitting a complaint in good faith, even when the complaint cannot be substantiated, is not a violation of this policy;

# Administrative Policy

## Respectful Workplace



- **“harassment”** (also described as bullying) is conduct including comments, actions and/or gestures that a reasonable person would find unwelcome, cannot be objectively justified as reasonable conduct, would likely create a hostile or intimidating work environment, is one-time or repeated: and
  - is demeaning, offensive, intimidating, threatening, abusive,
  - is an action by a person that the person knows or should reasonably know will or would cause humiliation to another individual, or
  - adversely or negatively impacts that individual.

Reasonable and legitimate workplace practices are not considered harassment.

- **“retaliation”** means any action or threat of action by a person that does or would adversely affect an employee with respect to any terms or conditions of employment or opportunity for promotion, including an oral or written reprimand, suspension, termination, layoff, loss of advancement opportunities, demotion, change in duties, discontinuation or elimination of a job, reduction in pay, change in reporting structure, change in work location, change in hours of work, harassment, threats, coercion, intimidation or the imposition of any discipline or other penalty directed at an employee who in good faith makes a report, or participates in an investigation, proceeding, or hearing with respect to a suspected fraud, violation of any City Policy, policy, procedure, or any other rule or expectation respecting the conduct of employees.
- **“Sexual harassment”** refers to any comment, conduct, gesture, or contact of a sexual nature that is unwelcome and that is likely to cause offence, embarrassment or humiliation to an individual; or a comment, conduct, gesture or contact of a sexual nature that might, on reasonable grounds, be perceived as placing a condition on employment, working conditions or opportunity for training or promotion.
- **“vexatious”** (including malicious) describes a complaint that is submitted without reasonable or probable cause; is not submitted in good faith; and has the intention to cause harm.
- **“workplace”** means a work site as defined in the Occupational Health and Safety Act: a location where an employee is, or is likely to be, engaged in their duties, and includes any vehicle or mobile equipment used by an employee for the purposes of their job.